

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD**

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: **FINAL DECISION AND ORDER**

DONALD E. KNUTSON,
D/B/A REMAX COUNTRY REALTY :
RESPONDENT. : **LS0711294REB**
:

Division of Enforcement Case File # 05 REB 084

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Donald E. Knutson
d/b/a ReMax Country Realty
W7676 Back and Forth St.
Westfield, WI 53964

Wisconsin Real Estate Board
P.O. Box 8935
Madison, WI 53708

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Donald E. Knutson** is a licensed real estate broker in the State of Wisconsin, license # 90-44024, first granted on 08/21/90. Mr. Knutson's most recent address on file with the Department of Regulation and Licensing is W7676 Back and Forth St., Westfield, WI 53964.

2. Mr. Knutson does business as ReMax Country Realty located at 113 E. 2nd. St., PO Box 275, Westfield, WI 53964.

3. On January 1, 2005, Mr. Knutson's real estate broker's license expired and was not renewed until April 8, 2005. During the time between January 1, 2005 and April 8, 2005, Mr. Knutson continued to practice real estate.

4. At all times relevant Carolyn R. Knutson (license # 90-45597) was a real estate broker/employee of Donald E. Knutson d/b/a ReMax Country Realty. Carolyn Knutson is Donald Knutson's wife.

5. Ms. Knutson's real estate broker's license expired on January 1, 2005, and was not renewed until April 20, 2005.

2005. During the time between January 1, 2005, and April 20, 2005, Ms. Knutson held herself out as a real estate broker although she did not receive any commission.

6. Mr. Knutson did not check Carolyn Knutson's licensing status at the beginning of the 2005 biennial licensing period.

7. Mr. Knutson was the subject of a prior disciplinary action by the Real Estate Board as a result of ReMax Country Realty failing to maintain a required journal, failing to perform bank reconciliations and by failing to do monthly trial balances and validations. An Order reprimanding Mr. Knutson and ordering him to complete education was issued on September 23, 2004. Mr. Knutson did not complete the education within six months from the date of the September 2004 Order as ordered and on March 22, 2006, Mr. Knutson's real estate broker's license was suspended for a violation of a Board Order. Mr. Knutson did not complete the education until April 6, 2006. On or about April 27, 2006, Mr. Knutson forwarded proof of completion of the required education to the Real Estate Board, which removed the suspension and reinstated his real estate broker's license.

8. During the time Mr. Knutson's real estate broker's license was suspended for violating a Board Order (March 22, 2006, through April 27, 2006), he continued to hold himself out as a real estate broker.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent Donald E. Knutson d/b/a ReMax Country Realty has violated:

a. Wis. Admin. Code § RL 24.17(3) and Wis. Stats. §§ 452.03, 452.12(5)(b), 452.14(3)(i) and 452.14(3)(L) by practicing real estate without having a valid Wisconsin real estate license between January 1, 2005 and April 8, 2005, and again between March 22, 2006 and April 27, 2006.

b. Wis. Admin. Code §§ RL 17.07 and RL 24.17(3), and Wis. Stat. §§ 452.03, 452.12(3), 452.14(3)(i) and 452.14(3)(L) by failing to check Carolyn Knutson's licensing status at the beginning of the 2005 biennial licensing period and in allowing her to hold herself out as a real estate agent between January 1, 2005 and April 20, 2005.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Real estate broker's license #90-44024 issued to **Donald E. Knutson** is **SUSPENDED** for a period of 90 calendar days, starting on the 10th calendar day after the date this order is signed.

2. Respondent shall, within 60 days of the date of this Order, pay a **FORFEITURE** in the amount of \$1,000.00.

3. Respondent shall, within 60 days of the date of this Order, pay **PARTIAL COSTS** of this proceeding in the amount of \$600.00.

Payment of costs, as well as forfeitures, shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and well-being and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment as ordered, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, and shall remain suspended until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE BOARD

By: Peter A. Sveum
A Member of the Board

11/29/2007
Date